

# EXHIBIT 1

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF WYOMING

3 BCB CHEYENNE, LLC, d/b/a DOCKET NO. 23-CV-00079-ABJ  
4 BISON BLOCKCHAIN, a Wyoming (Pages 1 through 56)  
5 limited liability company,  
6 Plaintiff,  
7 vs.  
8 MINEONE WYOMING DATA CENTER, Cheyenne, Wyoming  
9 LLC, a Delaware limited Thursday, September 26, 2024  
10 liability company; MINEONE 3:22 p.m.  
11 PARTNERS, LLC, a Delaware  
12 limited liability company;  
13 TERRA CRYPTO, INC., a Delaware  
14 corporation; BIT ORIGIN LTD.,  
15 a Cayman Island company;  
16 SONICHASH, LLC, a Delaware  
17 limited liability company;  
18 BITMAIN TECHNOLOGIES HOLDING  
19 COMPANY, a Cayman Island  
20 company; BITMAIN TECHNOLOGIES  
21 GEORGIA LIMITED, a Georgia  
22 corporation; and JOHN DOES 1-20,  
23 related persons and companies  
24 who control or direct some or  
25 all of the named Defendants,  
Defendants.

18 TRANSCRIPT OF MOTION HEARING PROCEEDINGS  
19 MOTION TO AMEND SCHEDULING ORDER

20 BEFORE THE HONORABLE ALAN B. JOHNSON  
21 UNITED STATES DISTRICT JUDGE

22 *MELANIE L. HUMPHREY-SONNTAG, RDR, CRR, CRC*  
23 *Federal Official Court Reporter*  
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*Proceedings reported with realtime stenography;*  
*transcript produced with computer-aided transcription.*

23-CV-00079-ABJ

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## 1 APPEARANCES (via Zoom):

2 For the Plaintiff:

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159 North Wolcott Street, Suite 400  
Casper, WY 826014 For the Defendants  
5 MineOne, Terra  
6 Crypto, Bit Origin,  
7 and SonicHash:PAULA COLBATH  
DAVID A. FORREST  
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9 KARI HARTMAN  
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11 Bit Origin and  
12 SonicHash:MARC S. GOTTLIEB, I  
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14 SUNDahl, POWERS, KAPP & MARTIN, LLC  
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Cheyenne, WY 82001

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1 communications, won't produce any of its CleanSpark  
2 communications, won't produce any of its Republic Title of  
3 Texas documents, and, yet, they want to extend the discovery  
4 cutoff to hammer on all of our people.

5 Your Honor, to close, the Court knows we're going to  
6 have heavy dispositive motion briefing. But MineOne wants to  
7 jam BCB so badly at -- when we were already consumed with  
8 stress, burdensome costs, and fishing expeditions -- so  
9 I can't focus my time and BCB's time on the dispositive motion  
10 briefing.

11 Any further extensions only help MineOne cure its  
12 delay after delay after delay, and they burden BCB with more  
13 cost, more time delays, more difficulties. Don't -- please  
14 don't give MineOne yet another grace -- and that's what I call  
15 it, and I don't choose that word lightly but another grace --  
16 especially since MineOne is at fault for the predicament it  
17 put itself in by not doing the needed discovery when it should  
18 have done. Don't give them more days, more subpoenas, and  
19 more depositions to impose themselves on BCB when I need to be  
20 briefing to Your Honor.

21 Thank you, Judge Johnson.

22 MR. GOTTLIEB: Your Honor, may I be heard on this.

23 THE COURT: Sure. Absolutely, Mr. Gottlieb.

24 MR. GOTTLIEB: I don't have as much skin in the game  
25 as -- as MineOne, but I am part of this, and I'm -- we're sort

1 of working with MineOne because we're both defendants and we  
2 have a commonality on certain issues.

3           But I've been a part of these meet and confers. And  
4 I will say this: Mr. Murphy talks a very good game. He's  
5 extremely polite, he's extremely soft-spoken, and he gives you  
6 the impression that he's the victim here of everything, that  
7 everything we've tried to do in this case is all wrong and  
8 everything he's done is right.

9           It's just a gamesmanship all the way through. And  
10 I'll give you the best example of this.

11           Judge Hambrick asked us to meet and confer -- she  
12 directed us to meet and confer on some of these issues, and we  
13 tried to do that.

14           And when we got on the phone with all the counsel,  
15 Michael Murphy, Patrick Murphy's son, he took the lead on the  
16 meet and confer, which was completely improper. I objected to  
17 it. I told Patrick Murphy this is inappropriate, Paula  
18 Colbath told him this is inappropriate, and he wouldn't let it  
19 go. He wouldn't stop.

20           Michael Murphy conducted the entire meet and confer.  
21 And when we were trying to get dates for depositions, it was  
22 virtually impossible.

23           What Patrick doesn't tell you is the fact that when  
24 we tried to schedule depositions of certain principals of  
25 BCB -- including Mr. Emory, who Ms. Colbath was trying to

1           I want to address one subpoena that -- Mr. Murphy has  
2 been -- said that my client controls a witness by the name of  
3 Huaili Zhang and another witness by the name of Chong Wang.

4           We have repeatedly told him we don't control those  
5 individuals. Ultimately, because it just became a repeated  
6 narrative from -- from Mr. Murphy every time he wrote to the  
7 Court -- I said "You know what? I'm going to facilitate  
8 getting Huaili Zhang's deposition."

9           I have served a subpoena on Huaili Zhang,  
10 JWJ Technologies, a Georgia LLC. And so why Mr. Murphy at  
11 this point -- since he has been harping for months that he  
12 wants that individual, I said "Here's his contact information;  
13 this is his last-known address; this is who he works for; you  
14 can readily serve a subpoena."

15           He didn't. I finally said "I've got to take this off  
16 the table. I'll subpoena him; I'll get the documents; I'll  
17 take his deposition." So Mr. Zhang is -- is available and  
18 where -- we anticipate getting documents.

19           MR. MURPHY: If it please the Court -- or maybe it  
20 doesn't please the Court. You've had a long day.

21           But I reject everything that Marc Gottlieb just  
22 represented to the Court.

23           Sorry, Marc.

24           MR. GOTTLIEB: Michael didn't get on the phone and  
25 conduct the meet and confer, Patrick? That didn't happen?

1                   MR. MURPHY: He did -- he was on the phone, and he  
2 did not conduct the meet and confer. You know it.

3                   MR. GOTTLIEB: That's not true --

4                   MR. MURPHY: He asked -- he asked Paula Colbath --  
5 (Simultaneous speaking.)

6 (Reporter seeks clarification.)

7                   MR. GOTTLIEB: Everybody else was there and they can  
8 attest to this.

9                   And you know that that's not true.

10                  THE COURT: Is Michael on with you now, Patrick?

11                  MR. MURPHY: I'm sorry?

12                  THE COURT: Is Michael with you now?

13                  MR. MURPHY: No. When -- no, he's not. He's down in  
14 Denver.

15                  MS. COLBATH: Might I add on that point that Judge  
16 Hambrick issued an order, Your Honor, dated September 9,  
17 2024 -- and because Mr. Michael Murphy's presence made the  
18 meet and confer -- I can -- brutal, counterproductive,  
19 unprofessional.

20                  When we raised what exactly took place in detail with  
21 her, she issued an order on 9/9/2024 that states in  
22 paragraph 5 -- this is how serious she took the issue and what  
23 had taken place -- "And that counsel, dash, not individual  
24 agents, officers, or the like of the parties, dash, are the  
25 only participants in any and all future meet and confers."

1                   She felt the need to issue a court order. It had  
2 been so destructive to have Mr. Michael Murphy on, and that's  
3 why the meet and confer lasted three hours.

4                   MR. MURPHY: So incorrect. It was unprofessional  
5 because of Ms. Colbath and her yelling and her refusal to tell  
6 us what we all knew, and that's that Jiaming Li has a Chinese  
7 passport and could have traveled to Hong Kong to give his  
8 deposition. But she would never answer Michael Murphy's  
9 question about that. I had to write a letter addressing  
10 Ms. Colbath's professionalism after that meet and confer.

11                  MR. GOTTLIEB: You just acknowledged that Pat -- that  
12 Michael Murphy was participating in this call, just there.

13                  MR. MURPHY: Of course I did. I've never denied  
14 that.

15                  It's just when you say, Mr. Gottlieb, that he  
16 conducted the entire meet and confer and that he was the  
17 problem, that's what I reject.

18                  MR. GOTTLIEB: He did. And that was true. And  
19 that's exactly what happened.

20                  And I stand by it and I'm an officer of the Court.

21                  MR. MURPHY: We all are.

22                  Enough is enough.

23                  THE COURT: The Court will enter its order. I'm not  
24 sure just what I'm going to say yet.

25                  Thank you.

1 C E R T I F I C A T E  
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5 I, MELANIE HUMPHREY-SONNTAG, Federal Official Court  
6 Reporter for the United States District Court for the District  
7 of Wyoming, a Registered Diplomate Reporter, Certified  
8 Realtime Reporter, and Certified Realtime Captioner, do hereby  
9 certify that I reported by realtime stenography the foregoing  
10 proceedings contained herein on the aforementioned subject on  
11 the date herein set forth and that the foregoing pages  
12 constitute a full, true, and correct transcript.

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14 Dated this 30th day of September, 2024.

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18 */s/* Melanie Humphrey-Sonntag

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20 MELANIE HUMPHREY-SONNTAG  
21 RDR, CRR, CRC  
22 Federal Official Court Reporter

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